

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

LOWENSTEIN SANDLER LLP

Joseph J. DiPasquale, Esq.
Michael Papandrea, Esq.
John P. Schneider, Esq.
One Lowenstein Drive
Roseland, New Jersey 07068
(973) 597-2500 (Telephone)
(973) 597-2400 (Facsimile)

Counsel to the Liquidating Trustee

In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,¹

Debtors.



Order Filed on July 7, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Chapter 11

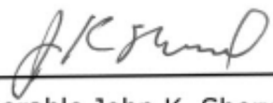
Case No. 19-12809 (JKS)

(Jointly Administered)

**ORDER GRANTING THE LIQUIDATING TRUSTEE'S
SIXTH OMNIBUS OBJECTION
TO CERTAIN EMPLOYEE WARN ACT CLAIMS**

The relief set forth on the following pages, numbered two (2) through and including four (4), is hereby **ORDERED**.

DATED: July 7, 2021


Honorable John K. Sherwood
United States Bankruptcy Court

¹ The Debtors in these Chapter 11 Cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); Mylon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

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Debtor: New England Motor Freight, Inc., *et al.*
Case No.: 19-12809 (JKS)
Caption: Order Granting the Liquidating Trustee's Sixth Omnibus Objection to Certain Employee WARN Act Claims

Upon the sixth omnibus objection (the "Omnibus Objection")² of the Liquidating Trustee appointed in the above-captioned Chapter 11 Cases, seeking entry of an order, pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rules 3007-1 and 3007-2, disallowing and expunging the claims (the "Disputed Claims") set forth on Exhibit A and Exhibit B to this Order because each such Disputed Claim has been released pursuant to the WARN Act Settlement Agreements approved by the Court's WARN Settlement Orders [Docket Nos. 155 and 1076]; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Omnibus Objection being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Omnibus Objection has been given and that no other or further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the Omnibus Objection is in the best interests of the Debtors, their estates, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Omnibus Objection is GRANTED as set forth herein.
2. The Disputed Claims listed on Exhibit A and Exhibit B attached to this Order are hereby disallowed and expunged in their entirety.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Omnibus Objection.

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Debtor: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order Granting the Liquidating Trustee's Sixth Omnibus Objection to Certain Employee WARN Act Claims

3. For the avoidance of doubt, nothing in the Omnibus Objection or this Order shall be deemed or construed to (a) constitute an admission as to the validity or priority of any claim against the Debtors, (b) an implication or admission that any particular claim is of a type specified or defined in this Order or the Omnibus Objection, and/or (c) constitute a waiver of the Liquidating Trustee's rights to dispute any claim on any grounds.

4. The Liquidating Trustee, the Debtors, their claims and noticing agent (Donlin, Recano & Company, Inc.), and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order.

5. The objection to each of the Disputed Claims, as addressed in the Omnibus Objection and as set forth in Exhibit A and Exhibit B attached hereto, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each of the Disputed Claims that is the subject of the Omnibus Objection and this Order. Any stay of this Order pending appeal by any claimants whose Disputed Claims are subject to this Order shall only apply to the contested matter that involves such claimant and shall not stay the applicability and/or finality of this Order with respect to any other contested matters addressed in the Omnibus Objection and this Order.

6. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Omnibus Objection or otherwise waived.

7. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

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Debtor: New England Motor Freight, Inc., *et al.*

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8. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

NEW ENGLAND MOTOR FREIGHT, INC., ET AL
CASE NO.: 19-12809 (JKS)

EXHIBIT A

GENERAL UNSECURED - UNLIQUIDATED EMPLOYEE WARN ACT CLAIMS

Claims to be Expunged						Basis for Objections
Debtor Name	Creditor Name & Address	Date Filed	Claim No.	Claim Amount	Claim Class	
NEW ENGLAND MOTOR FREIGHT, INC.	ADKINS*SHERMAN 721 N 9TH ST CAMDEN, NJ 08102	6/3/2019	704	\$ 1,000.00	General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated claim
NEW ENGLAND MOTOR FREIGHT, INC.	AMADO*JEAN 56 WILLIAMS AVE EAST PROVIDENCE, RI 02914	6/17/2019	962		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	BERARDI*RHONDA 257 GREENWICH AVE PAULSBORO, NJ 08066	6/4/2019	728		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	BRAZEAU*SCOTT 314 WEST SHORE RD WARWICK, RI 02889	6/17/2019	978		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	BUCHANAN*STACY 2739 YARNALL RD HALETHORPE, MD 21227	5/18/2019	479		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	CHOJNACKI*STANISLAW ANNA CHOJNACKI 249 PIERRE AVE GARFIELD, NJ 07026	6/14/2019	936		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	CHYNOWETH*ROBERT 7 IRONOAK CT NORTH EAST, MD 21901	6/3/2019	643	\$ 500.00	General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated claim
NEW ENGLAND MOTOR FREIGHT, INC.	DEJESUS*HECTOR 2285 MARSH HAWK LN FLEMING ISLAND, FL 32003	5/30/2019	632		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	DELLIGATTI*NICOLE 1269 MIDDLETOWN RD GREENSBURG, PA 15601	5/28/2019	568		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	DESANTIS*DANIEL 69 WEATHERLY PL MONTGOMERY, NY 12549	5/20/2019	406		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim

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GENERAL UNSECURED - UNLIQUIDATED EMPLOYEE WARN ACT CLAIMS

Claims to be Expunged						Basis for Objections
Debtor Name	Creditor Name & Address	Date Filed	Claim No.	Claim Amount	Claim Class	
NEW ENGLAND MOTOR FREIGHT, INC.	DIPASQUA*AARON 202 TOURNAMENT CIR NORTH EAST, MD 21901	6/3/2019	642	\$ 500.00	General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated claim
NEW ENGLAND MOTOR FREIGHT, INC.	DIPERNA*CAMERON 121 STATION ST HERMINIE, PA 15637	5/28/2019	567		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	GIDDINS*BYRON 933 N ROSEDALE ST BALTIMORE, MD 21216	6/10/2019	666		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	HILLMAN*DAVID 8113 PHEASANT RUN FOGELSVILLE, PA 18051	5/20/2019	405		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	IMBODEN*STANLEY 2246 NORTH POINT DR YORK, PA 17402	6/18/2019	1066		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	JEFFREY*JACK 146 HOLLY LYNN DR HAZEL TWP, PA 18202	6/14/2019	896		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	JESUS*EMANUEL 58 BROOKSIDE AVE NORTH PROVIDENCE, RI 02911	5/27/2019	621		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	JOSEPH GAJDA 88 MT PLEASANT AVE DOVER, NJ 07801	6/1/2019	638		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	KOCHER*LARRY 254 N 2ND ST LEHIGHTON, PA 18235	6/17/2019	960		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	MEDAL*MARYANN 2 BOUNDARY AVE NORTH MASSAPEQUA, NY 11758	5/21/2019	462		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim

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GENERAL UNSECURED - UNLIQUIDATED EMPLOYEE WARN ACT CLAIMS

Claims to be Expunged						Basis for Objections
Debtor Name	Creditor Name & Address	Date Filed	Claim No.	Claim Amount	Claim Class	
NEW ENGLAND MOTOR FREIGHT, INC.	MOORE*JIVIN L JIVIN L MOORE JIVIN MOORE 906 UNION ST APT 1 MCKEESPORT, PA 15132	5/24/2019	613		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	MOSLEY*PERCY L 717 WASHINGTON AVE LINDEN, NJ 07036	6/17/2019	977		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	MOULTON*NATHAN 262 SWEET ACRES DR ROCHESTER, NY 14612	5/16/2019	379		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	PALMIOTTI*MICHAEL 6 BURLINGHAM RD PINE BUSH, NY 12566	5/21/2019	459		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	PAVLICH JR*EDWARD 19 ERIE ST PORT JERVIS, NY 12771	5/14/2019	295		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	PEYTON*REGINA 3134 RAWLE ST PHILADELPHIA, PA 19149	5/23/2019	535		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	ROLDAN*FREDY 155 CRANSTON ST APT G28 PROVIDENCE, RI 02907	6/10/2019	772		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	SANDIN*TODD 509 8TH AVE SUTERSVILLE, PA 15083	6/18/2019	1155		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	SELF*JOHN 52 DAY AVE WESTFIELD, MA 01085	6/10/2019	759		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	SIRAGUSA*PAUL 30 ROOSEVELT PL STONY POINT, NY 10980	5/28/2019	579		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim

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Debtor Name	Creditor Name & Address	Date Filed	Claim No.	Claim Amount	Claim Class	
NEW ENGLAND MOTOR FREIGHT, INC.	STUCKEY*REGINALD 40 HARRIET ST PROVIDENCE, RI 02905	5/23/2019	537		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	STUEHLER*MICHAEL 156 W 4TH AVE ROSELLE, NJ 07203	6/17/2019	982		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	TREASTER*KYRSTIN 838 LIMEKILN RD NEW CUMBERLAND, PA 17070	5/18/2019	480		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	VISOCKIS*MARK 3525 N DWIGHT RD MORRIS, IL 60450	5/28/2019	578		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim
NEW ENGLAND MOTOR FREIGHT, INC.	WELLINGTON*RYAN 112 BOUQUET ST HOMESTEAD, PA 15120	6/17/2019	988		General Unsecured	- Employee claim, resolved per Global Employee Settlements Order (Court Dkt No.155) - Unliquidated or zero dollar claim

TOTAL EXPUNGED CLAIMS:	35 Claims \$ 2,000.00
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